

REMARKS

The Applicant respectfully requests further examination and reconsideration in view of the amendments made above and the arguments made below. Claims 1-10, 13-15, 17 and 20-35 were pending. Within the Office Action, Claim 15 has been rejected and Claims 1-10, 13, 14, 17 and 20-35 have been objected to. By the above amendments, Claims 1-3, 5, 6, 14, 15, 17, 22-26, 34 and 35 have been amended. Accordingly, Claims 1-10, 13-15, 17 and 20-35 are now pending.

The applicants' attorney would like to thank Examiner Afshar for his time and courtesousness during the telephone interview on September 3, 2008. During this interview the changes to the claims made above were discussed.

Rejections under 35 U.S.C. § 101

Within the Office Action, Claim 15 has been rejected under 35 U.S.C. §101 because it is stated the claimed invention is directed to non-statutory subject matter. The Applicant respectfully disagrees. Claim 15 is directed to a computer readable memory device on which a computer program to be executed by a data processor within a computer has been recorded. It is further specified within Claim 15 that the computer forms part of a gateway support node of a packet radio network. This is clearly statutory subject matter. The subject matter of Claim 15 is also supported by the Present Specification. Specifically, the Present Specification describes the claimed invention sufficiently for one skilled in the art to understand and apply the claimed invention. [Present Specification, page 10, line 5 through page 13, line 13 and the accompanying figures] The subject matter of Claim 15 is also embodied within the Claim 15, as originally filed. Furthermore, a person skilled in the art would immediately recognize that the constituent components of the invention, such as a serving support node, gateway support node, radio network controller, and so on, are typically implemented on computer hardware, and therefore a skilled person of the art would be in no doubt from the description and the drawings that the invention is able to be manifested in the form of a computer readable medium on which a program to be executed by a computer has been recorded. Therefore, the rejection should be withdrawn.

Claim Objections

Within the Office Action, Claims 1-10, 13-15, 17 and 20-35 have been objected to as reciting the terms “being operable” and “operable.” By the above amendments, the claims have been amended to remove the terms “being operable” and “operable.” Accordingly, this objection should be withdrawn.

Allowable Subject Matter

Within the Office Action, it is indicated that if the above objections are overcome, Claims 1-10, 13-15, 17 and 20-35 would be allowed. As discussed above, the objections have been overcome. Accordingly, Claims 1-10, 13-15, 17 and 20-35 are allowable.

For the reasons given above, Applicants respectfully submit that all of the pending claims are now in condition for allowance, and allowance at an early date would be greatly appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

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By: /Jonathan O. Owens/
Jonathan O. Owens
Reg. No. 37,902
Attorneys for Applicants